

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BENJAMIN WAYNE MERRING,	:	
	:	
Plaintiff,	:	CIVIL NO. 4:10-CV-0579
	:	
v.	:	Hon. John E. Jones III
	:	
CORRECTIONAL CARE, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

April 12, 2010

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

1. Plaintiff's Motion for leave to proceed *in forma pauperis* (Doc. 5) is construed as a motion to proceed without full prepayment of fees and costs, and the Motion is **GRANTED**.¹
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED** with prejudice.
3. All pending motions are **DISMISSED** as moot.

¹Dismissal of this action does not relieve Plaintiff of the obligation to pay the full filing fee. Until the filing fee is paid in full, the Administrative Order issued on April 9, 2009 (Doc. 7) is binding on the Warden of Plaintiff's place of confinement.

4. Any appeal from this Order will be deemed frivolous, lacking merit, and not taken in good faith.

s/ John E. Jones III
John E. Jones III
United States District Judge